THE GREAT LEGAL CONUNDRUM

Opening of the Fourteenth Week of the Scandal Suit.

BEECHER ON HIS LETTERS.

WHAT HE ADMITS SAYING.

Negatives with Agony and Emphasis.

WE ALL KISSED EACH OTHER."

and Incidents.

BOWEN, BEECHER, TILTON.

The Loves and Hates of the Brooklyn Trinity.

IS THERE A PLYMOUTH CLAQUE?

A splendid spring day, the sunlight streaming in through the tall windows of the court room and illuminating the broad area, where the crowded multitude sat. Such was the scene in the court room yesterday morning when the proceedings were commenced. It seemed to be a nollday picture rather than a solemn court assembled to try the issue between two men who are tighting for reputation, as are Theodore Tilton and Heary Ward Beecher.

A wide margin of both sides of Fulton street

in front of the Court was occupied for the greater part of the day by a respectably dressed crowd of diers. The anxiety to get in to see the performance was excessive. Hundreds remained outside on the corridors for hours. They were no common folks, but evidently people of good position from

all parts of the country.

Mr. Beecher acted his part about equally as well as on the previous days. He would still insist upon throwing that peculiar tremor into his voice that the Plymouth pastor can use when anything pathetic has to be narrated, and yet this method of his is one which excites more of ridicule than pathos, and it is a pity that such is the fact, considering how short a step it is between the sublime and the ridiculous.

HEARING UP BRAVELY. Mr. Beecher bore up bravely through his examination during the entire day. He did his best under the circumstances-ne did nothing extraordinary-to meet all the points covered by the letter of contrition or the various interviews with Tilton and Moulton where he is represented, in the refined language of thieves and detectives, se "giving nimself away" to a degree that no man

with ordinary sense ever did before.

THE CONTRITION LETTER. Mr. Evarts ended the reading of the contrition letter, with the words, "Her forgiveness I have, may God put it in the heart of her busband to forgive me." "Was that your dictation?" asked the counsel? "No." was the response, in a faint, sad sone. Then, after a slight pause, "it's like the rest, not of my parentage." The impression was not so strong as on former denials, but there was a disposition to applied.

The points advanced by Moulton required more

than ordinary tact and ability to answer. Mr. Beecher met these points with apparent sense and courage, and triumphed. It only remains to be seen if he will meet the cross-examination in the same spirit, and then Beecher will have gained the victory his friends so confidently predict. Mr. Beecher was less forcible and impressive than on the previous days. His voice suggests suspicion. People listening for the first time to his somewhat quavering tones will conclude the speaker is a mountebank, and that the peculiar tone of voice is put on, and that these shakes and quavers in his voice are assumed. Yet Beecher has been accustomed to use such tones and pathetic quavers all his life. Being a peculiarly emotional speaker it would be strange is he did not insensibly fall into the old be happens to be in the witness chair. There were between twenty and thirty women present in the court room yesterday. Many of the faces were strange and not by any means interesting. The fact that so many new female faces were present seemed to attract the attention of Judge Nellson. was evidently in no amiable mood. While dis cussing the question of applause with the counsel at the close of the day, the Judge remarked that it case would restain from attending the trial in Hereafter he would be compelled to refuse them admittance.

Among those on the bench were Messrs. Charles J. Foiger, M. Kessel, D. D. Pield, John E. Parsons and E. O. Perrin.

THE CLAQUE Before Mr. Beecher began his testimony Judge

Melison said:-

Neilson said:—

I wish to say a word to the reporters. In case of interruptions hereafter by the audience I wish them to be omitted from your botes. I am admonished in that respect in a letter of three pages from a distinguished judge in Toronto. I toing the records would appear much better, and, therefore, request that any interruptions be omitted. And that my requests for order also be omitted. In the same connection I wish to say to Mr. Rogers, the officer who has charge, that if he has not poncemen enough to his him in keeping order, the must order more; and in case of any interruption such as did occur the last alternoon when we were here, he must remove the persons who interrupt the harmony of the proceedings. This must be done without respect to the person, no matter who it is. These interruptions are unpleasant to the counsel on boin sides and distract the attention of the jury. Such persons are wanting in respect to the Court; it must cease. Proceed gentlemen.

Court; it must cease. Proceed gentlemen.

THE EVIDENCE.

Mr. Evarts—Recurring to the scene and date of the interview had between you and Mr. Moniton at his house, I now ask you when Mr. Moniton at his house, I now ask you when Mr. Moniton made the statement, which you have testified to, regarding Mr. Thiton's innoceance in respect to the matters that had been imputed against his morality, what effect did these statements of Mr. Moniton's produce on your mind in regard to your recings and belief on the subject? A. I was samestly overglad, believing it was so, and that his statements about Mr. Hitton's innoceance was the truin, and left all the worse for believing that he had been guilty, as it made me in some sense an injurer of Mr. Hitton's innoceance.

THE LETTER OF CONTRITION NOT HIS.

Q. Is that paper which you hold in your hand in any sense your composition, that is a memorandum made by Mr. Mouiton, as he testified to Mr. Fullerion objected to the witness giving his belief on the subject, that is for the jury.

Judge Neisson—We will take it.

Mr. Follerton—Whether in any sense that paper is his composition?

this composition?
Judge Neisson—Yes.
Question repeated. A. In no sense is it any
omnosition or mine. composition of mine.

Q. Is it a copy or the product of any dictation of yours? A. in no proper sense of the word "dictation" did I dictate it.

The witness held the letter of contrition in his hand, glanced at it a moment and slowly enunciated the words quoted above.

"Did you use the words, 'I numble myself before

Theodore Titon as I do before my God?"
"I did not, but I did say"—and here the witness gave a rendering of the words he did use, while his voice lost its even tone and fell simost to the lachry mose key touched during the previous

Q lask your attention now to the part of the first cause of that memorandum which reads thus, "lask through you, Theodore Tit h's Giveness, and Inow number myse, before him as giveness, and incomments mysen before and an id-idabe over my God." Did you express this sen-tence in these words, or an equivalent to them to Moulton at that time? A. I did out; idid say that, it view of the statement made, I left that bad wronged nm—that I had wronged min to nit non-senon, and that I had number myself before

God for it and that I was willing to humble myself before Theodore Tilton.

4. Did you use these words or an equivalent to them, "He would have been a better man in my circumstances than I have been." Did you express that clause in these wars or in words equivalent in meaning thereto? A. I may in some words similar to that many a time.

4. In what respect or on what topic, concerning what conversation might you have used words similar? A. From the fact that I had sided almost from the first flush against theodore Thion and with Mr. Bowen and I remembered when I was in difficulties that are, thiron and instantly and with most generous spontaneity left everything and heiped me and when he was in trouble I sided against him.

against him.
Q. Was that your feeling at that time in compar-ing your conduct toward him? A. I recollect it very distinctly and shall never forget it to the Q. Did you express these words in this clause of

Q. Did you express these words in this clause of the memoranum, "I can ask of him notining except that he will remember all the other hearts that must ache?" A. No, sir; I did not make any statement that I would express by that formula; I did in that conversation repel the idea that I was acting selfably; I did call up in various forms and at different times in the conversation, reiterating the relations I sustained to other persons in my household and his nousehold and riends in the church who loved me as if I belonged to their households.

nonseholds.

Q. Did you express in these words or their equivalent this clause of the memorandum, "I win not plead for myself; I even wish I was dead; but others must live and soner?" A. Oh, that is not my paraseology, and it is a very pale and poor and iceole interpretation of the intensity with which I expressed my sorrow in the sorrows of other people.

Graphic Description of the Scenes other paople.

Q. What can you state as having been said by you carrying out the idea, that it was not what yourself would suffer but what others would suffer that gave you concern? Give your conversation on that point. A. I was not in a logical mood, and I did not measure my words or issuing my sentences; I varied from one mood to another and

oscillated between the thought of the conversation of regret and remorse and excusatory sentences; there was first that oscillation and vioration which takes place in a highly excited state of mind; for instance, I would sometimes express indignation, and a moment afterward I was sorry for expressing indignation that Enzapeth had come what she did.

Q. Did you use these words, "I shall die before any one but myself shall be inculpated," or words equivalent? A. No such purase as that; I look through this memorandum and luo not think I see a purase of mine written on that occasion, but I see the source from whence they ave been writing; I do recoliect expressing myself very strongly; that I'd rather die than oring such trouble or to increase such trouble; that so far as I myself slone was concerned I counted line very small II could make reparation; it was a strong expression of regret and remorse at the misciner which seemed to have been committed by me.

Q. I ask your attention to the next sentence in the memorandum—Ail my thoughts are running toward my friend—toward the poor child lying there and praying with folded bands." A. Ves.

Q. Did you express what there appears? A. Very likely, in substance; only that this is a very poor expression—very meagre.

Q. What did you say in that connection? A. I don't know the expression I used; I know i letting a father standing over the dead body of his child; I know she expression I used; I know i letting a father standing over the dead body of his child; I know she looked the dear reason—destroyed her moral lite; she appeared to me as if I had destroyed her reason—destroyed her moral lite; she appeared to me to be on the edge of me and ceath, and I spoke as one would speak in the mitensity of my distress.

Q. In this conversation was any suggestion made by Mr. Mounton in regard to your seeling for others, and not being exclusively concerned about yourself and your own position? A. When I reinsed to give the retraction he said as thought that a selfish considera ion; tha OSCILLATED BETWEEN

that a selfish consideration; that it was mean; activery likely in his part of the conversation said something similar to that, but I can't recollect it; yery likely he did.

Q. Dia you use these words or their equivalent, as they appear in the next clause of the memorandum, "he is guittess, and is sained against, and bearing the transgressions or another?" A. Very having your line in the household a life of intimate friendship for many years, and it I had allee in the nousehold a life of intimate friendship for many years, and it I had allee also ber affections in such a degree and manner as to have orought discord, and such distress as to paralyze her moral sense, or rather her reason, and it I had been the occasion of that miscinet, and I thought to myself how could any man stand—

or rather her reason, and it I had been the occasion of that miscined, and I thought to myself how could any man stand—

Q. You took blame to yourself? A. Yes; I took blame to myself up to the year 1874.

Q. I will now read the succeeding clause in this memorandum, and ask you if you used these words or expression, where you stated in substance, "der forgiveness I have, and I humoly pray to God that he may put it into the heart of her husband to forgive me also?" A. No, sh; that sentence must go with all the rest; it is not of my purentase; the question came up with regard to Mr. rutou's sufferings it he drift of the interview was such a statement on my part—a liad foundation, a kinday interference between us and for a reconculation, and it was in connection with Elizabeth Titton that I said in repeated forms that I sat as if had done her an incalculable wrong, out I had no donot at all of her forgiveness; but it was Titton's kindness and reconculation I very much donoted; our rithend Moulton was taking with him, and he was assuring me, too, that the difficulty with Titton was that he had drinly fixed in his mind I was in mortal enmity with him.

Q. I now call your attention to the phrase in

he had firmly fixed in his mind I was in mortal enumisy with him.

Q. I now cail your attention to the phrase in your letter of June 3, 1873 (Exhibit 50)—this pursue:—"The agreement was made after my letter to you was written." I cail your attention to that pursue and expression, "through you." Were you referring to this memorandum on that occasion, of something you had written?

Mr. Beach objected to the question as leading.
Judge Neisson—You can can ask him what he

Judge Neison-You can can ask nim what a was reisering to.

Ar. Eva is—In that clause who had you reference to when you spoke or "my letter to you?"

A. Inever saw it until I saw it here; I did not hear or it as I now reconect.

Q. Did you after that time sgain see it? A. I never saw it till i saw it nere; my draw recollection of it was ween ceneral Tracy, in December, 1872, after he had seen cause on by Ar. Mounton, Spoke of it was ween General Tracy, in December, 1872, miter he had seen cause on by Ar. Moulton, spoke of a letter I had written; alterward Mr. Claffin assed me about a letter I had written, and my brother Edward came to me about a letter—about a letter that had gone almost out of my mind; I had never seen it, but I supposed he had used the phraseology that I had neard used.

Q. I now call your a tention to your interview with Mr. Tilton on the Suin December. Did you at that interview use any expression or make any recreme of any kind on the subject of Dante's "interno". A. I remember none; I don't say I did not.

Tilton Does Not Access the content of the specific content of the subject of the say I did not.

did not.

Thron boes not accuse him of abulitery.
Q. During the interview between Thion and yourself when you gave your narrative, did Mr. Thion in any terms accuse you of the crime of abuliery with his whe? A. I am certain he did

Q. Did he by way of accusation or otherwise say Q. Did he by way of accusation of otherwise say to you or intimate to you that his wise had ever accused you to him of adulters? A. He did not. Q. Was there as any time during that conversation raised between you the question whether you had committed adultery with his wife? A. There was no such question; no such alusion, no such topic either by intimation or by expressed language in any manner whatsoever.

A string of questions to the effect if Thiton, in

his interview with Beecher, accused him of having committed adultery with his wife, met a clear and determined negative at every turn. The wit ness resumed his normal voice. His replies were a little less prompt, his manner less cool and decided than during the other days. He neld his arms folded at one moment and resting on the arms of the chair the next. His head was well thrown back, his eye clear and steady and his hair brushed entirely off his forenead.

Q. Was there any statement by him, by verbal or written accusation, or any imputation against you by any wife excepting the memorandum read here about improper solicitations? A. Nothing out that,
Q. Was there during that conversation any ref-

erence to, or recitat or suggestion of, the argu-ment by which you had overcome her virtue and TRIUMPHED OVER HER CHASTITY?

ment by which you had overcome her virtue and TRICHPHED OVER HER CHASTITY?

A. No, sit; home.

Q. I come now to the 2d of January; how was it observed at that date? A. According to the custom of years past in my congregation and caunon my house was open to receive callers on that day from ten to seven.

Q. And now were you personally occupied and taken up that day by this custom of visiting? A. I cannot recall that specific day; I can recall the custom of those days; I am usually busy.

Mr. Beach—I object, as not admissible.

BEECHER'S NEW YAR'S CALLERS.

Q. According to your recollection of that day?

A. I have loosed at such memoranda as I found and according to my knowledge and belief I received about 500 callers that day.

Q. Through whas nours of me day did that occupation run? A. Nominally from 10 to 7 o'clock, but ready from about 11 to 7 o'clock.

Q. Have you any recollection of any interview with mourton on tax day? A. Only the most shadowy impression—that he called upon me as a caller.

Q. Bit as to any interview or conference with

Sindowy impression—that he canded upon meas a caller.

Q. But as to any interview or conference with him—what recollection have you on that subject?

A. There was no conference—there outin not have been any—there was none.

Q. Did you go up stails or away from your parlors with Mr. Mounton that day? A. No.

Q. Was there on that day any conversation between you in while you asked Mr. Mounton in he thought it would be said to have the said of Plymouth perss go on? A. No. set; nothing of the thought t would be said to have the said of rightmooth pews good of A. No, sirt nothing of the Kind; it sould be simply absurd; that was the Dusiness of the trustees.

Q. When was the said for that year to take place? A. The Tuesday siter the lat day of Jan-

him on that day in regard to any letter that Mr. ton wis writing or was to write to ar. wen? A. No. sir; none.

meeting between you and Mr. Moniton—the 30 of Januar of thereadouts? A. Yes, there was, then or thereadouts; within a few days: I think the 3d. Q. Where did that occur? A. In Moniton's

house. Q. Were you there by appointment or by chance? A. I can't say.
Q. And where was it held? A. In Moniton's Q. And where was it held? A. In Moulton's chamber.
Q. What was the condition of his health? A. He was in bed, and I think it was on account of sickness; in fact I know he was indisposed.
Q. He was not too iil to prevent him from seeing you? A. No, sir, I have never seen him in that

Q. While you were there did Mr. Tilton come in ? Had you seen him before that morning? A. I think not, sir.

Q. How did the conversation commence? A. I think Mr. Mouron began by referring to the previous talk I had with him; he was repeating it to Mr. Tilb n.

Mr. Tilton.

Q. What had you been saying to Mr. Moulton before Mr. Tilton came in? A. I had been referring to what Mr. Tilton must have suffered; I thought his self restraint was remarkable under the cir-Q. After Mr. Tilton arrived how did Moulton continue? A. He told Mr. Tilton i had been saying

ontime? A. He told Mr. Tilton i had been saying very kind things of him.

Q. What did be do next? A. I turned to Mr. Tilton and told him how I regretted having been him and Mr. Howen; I also said that I had the most profound sorrow or the rupture I had the most amily; that I asked his pardon; I felt I had been in the wrong, and asked his forgiveness for it.

EFFECT ON MOULTON. The meeting of Tuton, Moulton and Beecher at Moniton's house was narrated in detail. Moniton, who sat off some distance, kept his eyes steadily fixed on the speaker. The bitter, mocking increduity of his looks had softened down to an expression rather of pitying wonder than of angry

scepticism.

Q. What followed? A. I said "Anything in my power I will do to show my sorrow," and Mr. Moniton said "Inat is an apology any gentleman should accept."

Q. Did your apology have the desired effect? A. Mr. Titton appeared to take it rainer reluctantly, as Mr. Mouton said, with marked emphasis, "You ought to accept that apology—what do you expect a man to do more?" after some further take Mr. Titton did accept the apology.

Q. How did he accept the apology.

Q. How did he accept th? A. We shook hands.

Q. What occurred afterward? A. I think Mr. Titton withdrew.

Q. Was any reference made at that conversation to the charges in regard to Mrs. Titton? A. I do not think so.

of think so.

Q. Did you talk about them after Mr. Tilton left?

1 do not remember and after Mr. do not remember any such conversation.
Do you remember an observation Mr. Moulton

Q. Do you remember an observation Mr. Moniton made to Mr. Titton, such as, "He has, in my opinion, done everything that a man can do without making a public statement of the facts"? A. No, nothing of the kind was said.

Q. Was any suggestion made that a public statement should be made? A. On the contrary, the whole drift of the interview led to the opinion that the facts should be concealed.

Q. Was there any inaguage made use of by Mr. Titton such as, "To speak to a man who has ruined my wife, broken up my house," Ac. Y A. Not a word of it.

Q. Did Mr. Moniton, "The speak to a man who has ruined my wife, broken up my house," Ac. Y A. Not a word of it.

Q. Did Mr. Moulton make any statement such

Q. Did Mr. Moulton make any statement such as, "Theodore, you must remember that Mr. Beecher has sent you a letter through me numbing himself before you as he would before his Goo"? A. No, Sir; no. Sir.
Q. Did you during that conversation say anything as follows:—"ii you wish that I should rether from my pupit you have only to say the word and I will do it"? A. The imputation of any such language to me is a wholesale hetton.
Q. Did you state that the sale of pews should not go on? A. No. Sir.
Q. Do you remember saying, "I have this request to make, that, should you make a public statement of inst trouble, you will give me warning, so that I may commit suicide and go out of the word?" A. No. Sir.
Q. Was anything said about Mr. Tilton desiring publicity? A. Not at that interview.
Q. Din you say anything like the following:—"Furthermore, I ask you to do me this layor, that whoever else is to be informed of this my wife shall not know it, as she is siready your enemy and may become mine?" A. No; nothing of the kind was said.

"The imputation of that language to me is a wholesale fiction." The witness was at a loss for word to characterize the falsity of the language attributed to him by Moulton. He was proceeding to stigmatize it more fully when the counsel called a nait. Further on the language Titon gave was quoted to the purpose of making Beecher say his relations with Elizabeth were not always sexual. "No, sir; no, sir. O. this is horme and any man living." Moulton leaned over to tack with Morris and Tilton sought the ear of Fullerton to impart some eager communication.

The magnitude of the work before the witness begins to reveal itself. Evarts wastes no time. His questions have more or less of pertinency. There is no traveling outside the record, but as the defence has evidently entered on the enterprise of covering the whole field traversed by the plaintiff the vastness of the task begins to be seen.

plaintiff the vastness of the test degris to be seen.

Q. Did you and "I will consider it is an additional occasion of gratitude"? A. No, sir.

Q. Do you remember saying "She was not to blame, I was entrely at laur; my shored office put me in a wrong place; I should have been her guardian not her tempter"? A. Something of the kind was said, out simply when I referred to the wrong that I and done in gaining her affections, as statements had led me to beneve I had dide.

Q. Did you ever make any statement acknowledging sexual intimacy? A. No, sir; it is omously laise.

edging sexual intimacy? A. No, sir; it is odiously alise.

Q. Did you ever in conversation with Mr. Tilton express your regret for having and sexual intercourse? A. It is into-craole almost to be asked such a quostick, and before Aimighty God no such statemen: was ever made by me.

Q. Did you ever make the following statement:—
"In ever sought her for any valgar end; my intercourse had been through love and not through hist." A. No, sir; nothing of the kind; no such language was ever used.

Q. On what occasion did you say to Mr. Tilton, "Tell me, before you go away, can you possibly reinstate Elizabeth in your love?" A. I remember no such infigurage possibly i may have said it.

Q. Do you remember the scene when, in the language of Mr. Tilton, god acred as follows:—
"Burstag your face in your hands," and saying you feet like a man "on the edge of hell"? A. I contain the conversation did you.

Q. Now, sir, during this conversation did you say, when you spoke of your grief for his troubles with Mr. Bowen, that your wife had stirred it all up? A. I do remember making my regrets for his trouble with Mr. Bowen, but I did not say that I regarded my wife's interference as more mischieves than mine.

us than mine.

As the morning wore on the wilness became more buoyant, infused greater vigor into his voice and grew almost deflant. Beach and Fullerton

were attentive, the former sitting back in his

chair, his forefinger curied in a ring around his chin, his eye scarce blinking, but fixed immovably

chair, his foreinger curied in a ring around his chin, his eye scarce blinking, but fixed immovably on the witness.

Witness—The conversation turned on Mr. Bowen's treachery toward Mt. Titton and toward mt. That was some time before January 10; I think it was on or about that time; the only way I can fix the date is by my memoranda of my lectures; Loan fix the laudmarks of it in that way; I have got the date stown of where I lectured.

Q. How did Mr. Moniton introduce this interview or topic? A. Mr. Moulton introduced it; I can reli the topics of the conversation, perhaps not in their order; I can give the substance of the conversation.

Q. Was the subject of your previous relation with Mr. Bowen brought into the interview? A. I was very thoroughly brownt into the interview? A. I was very thoroughly brownt into the interview? A. I was very thoroughly brownt into the interview of miliculties and relations with Mr. Howen; he wanted to explore the ground thoroughly, to ascertain exactly where Mr. Howen, and then I gave mm a lew of the points of the difficulties between Mr. Bowen and myself, I answered all the questions in patto ms as to what Mr. Bowen would red or not reel in an endeavor to make him do justice to Mr. Thom.

Q. Now, at that incrived was anything said to you about a letter Mr. Thom had writted or was to write to Mr. Howen? A. I understood Mr. Thom was preparing a document or exhibit, or winter to Mr. Howen to the discussed of ms oning-tions to Mr. Titton; but no letter was ever shown me until 1872; out some of the solder thatter contacted in that document or exhibit, or wintered in that document or exhibit, and Mr. Howen Mr. Howen would be sold the was ever shown me until 1872; out some of the solder that the contaction; it was a subject discussed between them rather than anything addressed to myself.

I Nover Saw Mr. Ester was ever shown me until 1872; out some of the subject matter contaction; it was a subject discussed between them rather than anything addressed to myself.

of the kind nor any written document on that sub-ject— that letter included in the Golden Age ar-ticle—until Marce, 1872; that letter was part of the tripartite agreement. Q. Before that time that letter you had never seen 7 A. No, sir; I had never seen it before that

me. Q. Now, sir, in this interview was there any Dushiess of the trustees.

Q. Now, sir, in this interview was there any query is the safe for that year to take place? A. The Tuesday siter the let day of January.

Q. It was to take place the following day? A. I never saw any memorandum; I hear fail is document or paper presented to you on this subject? A. I never saw any memorandum; I hear fail is document or paper was oring if you had a subject? A. They have the same in resurd to not reconsist seeing it.

Q. What length of preliminary hotice had been given of the safe? A. Two weeks always to advance; two saboaths in auvence; the church is always open from the morning of the day till the night when the safe takes place, for persons to come in and make selections.

Q. Was there any discussion between you and

ton asked medistinctly whether the stories that

Signrest degree. Now, sir, in what terms did Mr. Mouiton ex-

in regard to Mr. Bowen's conduct toward on and toward Mr. Tilloo? A. He spoke in very strong language in condemnation of Mr. Bowen's call-duct—he know that it to be despicable, cruel, freacherous, and in every way mean. Those words were not only spoked, but they were idenicated.

Q. Did he state his views of Bowen's purpose in setting you against Thiton and Tilton against you? A. Yes, we were to have torn each other up and left the track clear to him.

Q. In this interview did you give Mr. Moulton a full account of your interview with Mr. Bowen at Mr. Freeland's? A. I did sir, he was horror-stricken at the intration I gave him, and he questioned me if it was possible.

Q. You went to Mr. Moulton at that time—at the conclusion of your published statement at the church—of the settlement between Mr. Bowen and yourseli? A. Yes, sir, I gave him a graphic account of the settlement arrived at between Mr. Bowen and mysell.

Q. Now, in reference to the statement made to you by Mr. Moulton concerning the contents or proposed contents of a letter or document Mr. Illion was preparing for use with Mr. Bowen, were there any particulars or names or instances of charges against you mentioned? A. I do not know that they were mentioned in regard to their being included in that document, but we were talking of the charges Bowen had made; there was a general conversation in regard to the charges that charges were mentioned and discussed, but they were not mentioned to me as they alterward appeared in the letter.

Q. Did Mr. Moulton repeat the charge that you had confessed acultery to Bowen? A. He said

Did Mr. Moulton repeat the charge that you Q. Did Mr. Moulton repeat the charge that you had confessed adultery to Bowen? A. He said something of that kind at some interview; I toing I laughed; if I confessed adultery to Mr. Bowen it would be impressed on my mind; I said to him that from the origin of the difficulty between Mr. Bowen and myself down to 1870, and again to December 2d, there had been several arbitrations and many conventions between us, but that Mr. Bowen never bad any difficulty with me but upon business, and that he never made a statement to me implicating my moral character. GETTING RID OF BOWEN.

As Mr. Beecher declared the only difficulties he had with Bowen were of a business character be struck his knee with the palm of his hand, and looked up cheerfully as though he had strangled one monster of suspicion for good and aye. Bowen had nothing of an adulterous charge to make, and as the public thought he had and that the delence was airaid of him, the witness was delighted at the chance of rolling him out of the way with a wave of his hand.

wave of his hand.

Mr. Beecher went on to say:—Moulton spoke of the matter and said Mr. Bowen was cound to see justice done to Mr. Ritton; I said I was giad to see min trying to get justice done by Moulton, and that as ne was an expert in business I was glad to see min carrying out the matter.

Q. Did Mr. Moulton say to you that he did not wish to carry the claim of Mr. Tilton into Court, as It would rip up your relations with the family of Mr. Hilton? A. No, Sir.

Q. Did Mr. Moulton tell you that Tilton would rather take what Bowen owed him than rip up your relations with his family or anything of that kind? A. No, Sir.

Q. Do you remember whether during this conversation any memorandum of those points was brought out? A. Yes, Sir. I told Mr. Moulton I had some memorandum of the points that were under discussion between Mr. Bowen and myself at Frecland's; after this conversation Mr. Moulton wanted them: I hunted them up and brought them to ham.

wanted them; I bunied them up and brought them to ham.

Q. Did you deliver that paper to Mr. Moulton at or about that time? A. Yes; it was about that time that I began to put my documents in his hands, this included.

Q. Wa's that paper in Bowen's handwriting? A. Yes, sir. (Paper produced.)

Mr. Everts said the original paper was not before them, but there was an agreement between counsel that a copy instead of the original should be used.

The Court—There can be no objection to your using the copy.

using the copy.

Mr. Evarts read as follows:—

First—keport and publish sermons and lecture-room talk. nd-New edition Plymouth Collection and Free-

ng's interest.

Third—nxplanation to church.

Fourth—Write me a letter.

Fifth—Retract in every quarter what has been said to Mr. Beecher—I took each of those points, and told Mr. Moulton what the subject of conversa-tion was on each one of them between Mr. Bowen

and myself.
Q. Did Mr. Moulton, at this stage of the inter-Q. Did Mr. Moalton, at this stage of the interview, state to you what he proposed to do? A. He spoke with the utmost confidence of competing Mr. Bowen to disgorge; I understand that that was proposed to be done.

Q. Do you remember the expression that Mr. Mouton used on the subject of bringing Mr. Bowen to terms? A. There were a good many of them; I think it was in that interview he said that he would bring him to his marrow bones.

Bowen is the shuttlecock of the trial. Neither

side wants him and neither side has a word of kindness to waste upon him.

Mr. Beccher-He spoke at this interview of bringing Mr. Sowen into some position, so that Mr. Bowen of nimsell would do justice to Mr. Ition without these being any recourse to legal proceedings.

Q. Do you recollect anything of this character being said by Mr. Modition to you in regard to a

Q. Do you recollect anything of this character being said by Mr. Moulton to you in regard to a letter to Mr. Bowen that Mr. Flitton wanted to puolish such letter, omitting all reference in it to your relations with his amily? A. No, air; there was no such letter shown to me, and no such discussion could have taken place.

Q. Do you realember him (Moulton) saying he approved of that course? A. I do not recollect it.

Q. In the same mouth of January, at a sacer period, did you have an interview with Mr. Moulton at his house concerning an interview he had had with Mr. Bowen? A. Yes, the next day after the interview, whenever it was.

Q. How did this luterview come about? A. I think it came about by my own wish; at this litterview is sked for; I

view I gave min the occuments he asked for; I don't romember that he sent for me; it was at his house, in the parlor down stairs; tors was along about the 13th of January, but I will not be posi-

Q. What did Mr. Moul on tell you in this inter-Q. What did Mr. Moul on tell you in this interview as to what passed between him and Mr. Bowen; where did he see Mr. Bowen; A. He saw him at his own house; he had already told me that Mr. Bowen had oeen invited to call a few days before; on that night he told me he was present at a rull and long conversation between himself and Mr. Bowen, which conversation he described minutely and dramatically.
Q. Did he show you how Mr. Bowen stood? A. Yes, and now he looked and what he said.
Q. Now, after going through this matter of

Q. Now, after going through this matter of yours and Mr. Bowen!-, or on those occasions with Mr. Moulton, do you remember the subject coming poly your jeeling in regard to the injury you had done Mr. Tilton? A. In that order of time do you mean?

you mean?
Q. soon after this conversation between you and Mr. Moulton was there any suggestion of an expression of eeling on your part of naving taken sides against Mr. Thron with Mr. Bowen? A. I do

expression of seeing on your part of naving taxen sides against Mr. Thron with Mr. Bowen? A. I do not recall asp.

Q. State the conversation as fully as you can?

A. He detailed to me with a particularity that I am unable to renearse here the statement which he had made to Bowen of Bowen's treatment of Mr. Tilton, and of the lulamy of ms conduct in procuring Mr. Tilton to write the letter of the Stn, and then take it and back it, and then stann right out from under and go over to my side; he went into the matter with relian and effectually, and then opened on bowen in regard to ms treatment of me in a parallel instance of intamy atmost without example; he reheared to him the different stories he had told me, and that when I had had interviews at one time and another with him he had never dared to mention one of these stories to my face, but only occurred no bowen money difficulty which had occurred between his, he then told Bowen that the last grand settlement had take in place between him and at

of some money difficulty which had occurred between us; he then told Bowen that the last grand settlement and taken place between him and at Mr. Freeland's house, in the presence of Mr. Thich. In the early part of the year 1870; that at that time he said you had against him, and after every one of them had been discussed and a settlement amicably effected; Mr. Freeland had come and shaken hands with ooth of you, and that you had wanken hands with ooth of you, and that you had wanken hands with ooth of you, and that you had wanked with Mr. Beecher in the streets; in the following to his promise had gone to the house of Gou; had there, in the presence of his jeo, ie, rehearsed the reconclitation that had taken place between him and you, and you went down and shook naddwith mhat the foot of the sit, and now that you could tell a man's friends hat you had that which would drive sit. Becover out of the town in forts eight hours if you should speak of it; that I had taken he document to my hands and had shook it in his face, and that he had turned as pale as a guost, and he said.

"What shall too?"

I said it is not for me to tell you what you should do; he said, looking up at the picture hanging on the wal, "I shall never be ande to recognize tout man again;" the portrait was my portrait of Page, the Dorrait which which was then namanny there; then he said sowen was ready to do anything; then I said, "Why du you not get the money out of him?" "Well," said he, "the time has not come for that ye, but that what howen should do, and ought to do, was to put little bought and said how he had the house of the little bours of the little had a head how of the fire pendent. It bely the mata hour for recess, the Coart adjourned dustit two o'clock.

After Rencess.

Journed dutil two o'clock.

AFTER RECESS.

Q. When Mr. Moulton said, in answer to your inquiry, "Why in the moud he lound Bowen he didn't exact the mone, or bring him to the point of paying an," Joe said Mr. Joulion said, "the time hadn't come yet," did he during explain or single or did you understand what he meant? A. No, sir, I was prijexed by it.

Q. Now, when on his interview he said to you that the proper toing for Bowen to do was to put Thilou cack on the Independent, was anything said by Moulton as to weether litton could work on the United Thilon? A. Not sit last interview. I thank hir it was not far from

that; it belonged to the same period and to that state of things; he hever suit exactly that; he spoke of what a grand thing it would be it filten and I should join forces on the Brookiyu Unden.
Q. What did you reply to that? A. My reply was that it was an absolute impossibility; the circumstances surrounding that paper and the selings of the persons covaged in it would not

was in fit was an associate impossion, the cubistances surrounding that paper and the feelings of the persons engaged in it would not admit o such an association.

Q. Do you remember anything of a visit you made when Mr. Moulton was seriously ill and nice ing Mr. Thion teers and having some plassage between yours if and nime. A. West, I remember sever it; it was not an unirequent thing.
Q. Do you remember being there at tout time, when Mr. Moulton was regarded by you as dangerously ill? A. Yes.
Q. What time was that? A. I cannot say whether in January or February.
Q. Before he went South? A. Yes, sir.
Q. During that liness do you now remember meeting Mr. Tilton during your visits to Mr. Moulton's mouse, when he was so very sick, and did anything pass between you and him? A. I do not seem to recall anything more than that we met there.

BEECHER AND TILTON EXCHANGE THE KISS OF PEACE.

BEECHER AND THATON EXCHANGE THE KISS OF PEACE.

BERGIER AND THITON EXCHANGE THE KISS OF PEACE.
Q. Mr. Titton has spoken of it as an occasion on which you kissed him on the forchead; do you remember saything about that? A. On yes, sir; he is RIGHT WITHIN ABOUT FOUR INCHES; he stooped, and I kissed him on the mouth (Laugnter.) I came from above where I had seen Frank M. Moulton was suffering from rheumatism on the chest or heart, and I was apprehensive that it was one of those attacks in which he might suddenly go off and I felt deep sympathy for him; when I came down stairs Mr. Thiton was in the parlor, and I met him and spoke of him as a friend to both of us.

Tatton was in the parior, and I met him and spoke of him as a friend to both of us.

Q. A mend of yours and filton? A. Yes; that is what I said of his critical condition, and there were some other words interchanged, I do not know what, but in the WARMTH OF THAT SYMPATHETIC MOMENT We kissed each other.

Q. Do you remember using any such expression as this—"theodore. Frank saved my life and I would willingly give my life to save his?" A. No, sir; I don't remember any precise language like that; I reconect saying I would almost give my life to save his.

Q. Do you recollect using any expression of this kind—"Frank is very sick; he is at the edge of the grave, and, if he should die, what would become or your case and mine?" A. I do not recall it.

Q. i understood you to say distinctly that the

call it.

Q. iunderstood you to say distinctly that the letter of Mr. Thion to Mr. Bowen was not shown to you or read to you at an interview at that time? A. It was not.

Q. There was no interview at that time at which Mr. Thion was present at which any such occurrence took place? A. No, Sir, not within my memory.

which Mr. Thion was present at which any such occurrence took place? A. No, Sir, not which my memory.

Q. Did any interview occur with Mr. Thion and Mr. Moulion at this period during January in which any relation you had with that letter or any connection which Mr. Thion had in your affirs was the subject of a conversation with you? A. I did not know that there was a letter till the spring of 1872; I knew there were slips in progress and documents forming which were to bring a settlement with Mr. Bowen, and a statement, but that it took on the form of a letter, or that it was a letter that I had anything to do with, or that I knew of its contents, I had no more knowledge of it, and had no more to do with it than I have with things transacting in China. Beeches of the New Hart besses Turners was a Dangerous person.

Q. Do you remember whether at any of the interviews spoken of about the middle period of January or any time thereabout, at any interview bet each Mr. Moulton and Joursel, that anything of this kind occurred on the subject of Miss Bessie Turner. Did Mr. Moulton tell you that filton thought that Bessie furner was a dangerous person to be acout; that she was what filton termed a lattler and that she knew of all the facts as between Mrs. Thiou and Mr. Becenter? A. No, Sir; shall I give the full knowledge of Bessie Turner—Mr. Evarts—No, not at this moment; a little

small I give the full knowledge of Bessie Turner—

Ar. Evarts—No, not at this moment; a little further on? A. No, sir, nothing of the sort.

Q. Did Mr. Moulton say to you that sine would be cetter out of the way than aere, and did you reply, "I taink %0, too?" A. I never said it and I never answered it in any such way.

Q. Was it represented to you by Mr. Moulton that Mr. Iliton said, as Mr. iliton told him, that the best place for her was to go out West to school? A. No, sir; I knew nothing of her going out West to School.

Q. And did he tell you that Mr. Tilton could not afford to pay her expenses, and did you say, "Weil, I will pay the expenses or do anything else necessary to keep this Story down?" A. No, nothing; there was no consultation with me of any kind or description with respect to or concerning the disposition of Bessie Turner; the first knowledge I had of her being out West was wien I was called upon to pay her first installment.

Mrs. MORSE'S LEITER.

when I was called upon to pay her first instailment.

MES. MORSE'S LEITER.

Q. In the latter part of January of that year an interview has been spoken of by both modition and filton at which a letter of Mrs. Morse was brought under consideration; do you remember a letter of that king received by you and handed by you to Mr. Modition? A. I do.

Letter manded to witness—Q. Do you remember that letter? A. Yes.

Q. In receiving that letter, what did you do with it? A. I carried it to Mr. Modition.

Q. Did you have a conversation with him on the subject of that letter? A. I did.

Q. Did ne read that letter in your presence, oefore any conversation was had on it? A. He did.

Q. What then was said about it; did you say him for any advice—did he give you any? A. I did; I asked him now the letter fai better be treated, and he said that it should be treated middy and kindly.

Q. What the was said about it; did you say him for any advice—did he give you any? A. I did; I asked him now the letter fai better be treated, and he said that it should be treated middy and kindly.

Q. What did he say, if anything, about Mrs. Morse? A. He said arm Morse was half cruzy; that she magnined a great many things, and that she hated Incodore; that she was in the nable of tening stories or magnifying incidents so that they do not represent the fruin; that she was unrestrated, except by her love for her daughter.

Q. Was anything said about her cledionity or her charges in the letter, or ner dehe in any of them? A. I don't think there was then a specific denial, but it was assumed that these were to the treated—that the woole letter was the carges were denied, in so are as they respected Mr. Thirdon tanking about adairs.

Q. Air. Mounton said that that was not true? A. Yes, sir.

Thion tasking about abairs.
Q. air. Mounton said that that was not true? A.
Yes, sir.
Q. And afterward did you write any answer to
that letter? A. i did, sir.
[Letter manica to withess.] Q. Was that written in about on's prisence or shown to him? A. I
suspect it was written in his presence; it is not
my paper.

my paper.
Q. It is your writing? A. Yes sir; I suspect it is a sector which idlew up of the letter, which he approved of I taen took it home; I never write

approved of I then took it home; I never write on ruled paper.

Q. It is in pencil? A. Yes, sir.
Q. At this interview or any other interview at which this letter was the subject of conversation was ar. littoh present? A. He was once; for not know whether it was the same interview or a subsequent one.
Q. At this interview was anything said about one passage in that letter which imputes to Mr. Thion that you present of your misraesses? Was there anything in that letter of Mrs. Morse charging that Mr. Thitton had stated that? A. Well, sir, is that charge mide in that letter?

Mr. Evarra—1 others not. Mr. Evarts—i behave not. Q. Was there any conversation at either of these

charging that ar. Inton and stated that; A. Well, Mr. Evaria—I otheve not.

Q. Was there any conversation at either of these interviews of the loss of January f if there were, were these subjects the matter of conversation—Mrs. Morse and her letter, in which it was stated by ner that Mr. Inton nead told more or less persons of your criminal relations with Mrs. Inton: A. No, there was nothing of that in the letter and nothing in the conversation.

Q. Was there any long said about your naving fold Mr. Inton or any nameer of persons of your criminal relationship with Mrs. Inton? A. There was no ston conversations, from the beginning on to the end of January; 1871, was any meniton made in your presence by Mr. Moulton or Mr. Thiton that there was any training relation of ever had been any criminal relation between you and Mrs. Inton? A. No, no; no implication of that that,

Q. was the word "stime" used in your presence in regard to you by ethier of those gentlemen or in the presence of that the continuous with Mrs. Inton had been tool by him to Mr. Oliver Johnson and other persons? A. Nothing of the kind.

This was cojected to, Mr. Beach stating that the question called of the conclusion of the winduct asking what was said.

Ar. Everts said if only called for a statement made by Mr. Thion. Mr. Beach stating that the Receiver and Mrs. Thion and had criminal relations, and the function was water in that conversion anything was said.

Ar. Everts said if only called for a statement made by Mr. Thion. Mr. Beach stating that the generic and Mrs. Thion and had criminal relations, and the succession was water in that conversion anything was said.

Ar. Beccher—No, sir; there was no such imputation. There has been so much discussion that I do not know it my former answer fits to the question.

Mr. Beach—You answered the question before I got in my objection.

Mr. Beach—You answered the question before I Mr. Beecher went on to say that it was stated that. This repeated stories relating to nim (Mr. Beecher), but that ne subsequently rectified the actions that the was likely to do constituted in quarters where it was likely to do constituted.

injury.

Q. Was shyining said at this conversation, or elter of them, in regard to information given or the letter, into concerning relations octowers you and Mrs. Titton—given to her mother, Mrs. Morse, or the resistions between you and Mrs. Titton—given to her mother, Mrs. Morse, or the resistions between her mother, Mrs. Morse, or the resistions between you and Mrs. Titton at this Mrs. Titton in the man and Mrs. Titton and information and information of the resistions between you and Mrs. Titton at the Mrs. Titton in the common in the letter was written? A. Yes, sir.

Q. Were the names of other Johnson or Mrs. Bradshaw died in the conversation at the end of January A. I think not, sir; it they were I do not remember It; both of their names as being used in the conversation of their names as being used in the conversation of January.

Q. At either of those conversations was anything said about Mr. Inton having said or reported that you preached to forty mistresses at your charge and the man at the conversation of January.

Q. Ween did any conversation occur about that?

A. Is should bring in about the first two weeks of January i went to Mr. Moniton with the statement that Mr. Titton and made such a statement.

Q. Went was anything said about Mr. Juseph Rich.

Q. Weat was suggested by Mr. aculon? A. That i should bring my indicate to bear upon injury.

ards—Mrs. Tilton's brother—having come to Mr. Tilion and asked him whether or not he had noticed air. Becche's visits to his nonse, and whether he was quite sure the were aloge her of a passoral character. Was there any conversation of test character? A, between me and whom?

Whom?

Q. Between you and Mr. Tilton? A. No, sir.

Q. Was no thing said to you by Mr. Tilton of
this mature—that are, Morse was in the story in
his way; that she was saving, among ner friends
and annily that theodore was making such and
such charges against Elzabeth, and that his
method of making them was a very latal way of
propagating the charges themselves.

Objected to.

and mainly that the adore was making seen and such charges against Elzabeth, and that his method of making them was a very latal way of propagating the charges themselves.

Objected to.

Mr. Heccher—I do not remember any such conversation; it would be almost impossible for the statement not to be remembered it made; I do not think the substance I gorour or the question came up in that way; the statements made by Mrs. Morse as to what she had heard against Mr. Thion were various, but they were rut in such a way that I cannot give them definiteness.

Q. Whatever may or may not have been said in regard to the propagation of the stories, was it said to you either by Moulton or fitton that the story of your criminal relation with Mrs. Thiton was being circulated by Mrs. Morsel A. Mr. Thiton or Mr. Moulton never told me that the story that I had criminal intercourse with nei daugnter, was being circulated by Mrs. Morsel they never told me anything of the kind; I recollect three letters of the date of February 7, 1871; I remember an interview before that date which had with Mr. Moulton at his house.

Q. Was the subject whether Mr. Bowen would restore Mr. Thiton to his position on the Independent brought up in that interview?

Objected to.

Judge Neilson—I would ask whether anything was said upon that subject, and, it so, what. It is rather leading, I think.

By Mr. Evarts—Was there anything said, Mr. Beecher, at this conversation, as to whether or not sir. Bowen would recoilled to the Independent? A. I don't recall it in connection with that interview.

Q. what was the commencement of that interview as you do recoollect? A. I don't know, sir. I don't remember what the commencement was, I remember the substance of it.

Q. Well, were Mr. Ilhou's relations or expectations in regard to the Independent made a subject of conversation?

Mr. Evarts—At that interview my own impression is that they were not.

Q. Well, was anything said about any othes papers? A. Yes, sir.

Q. Well, was anything said about any othes papers? A. Y sumen and unconversable, and that it irritated him. He said, "Incodore is the easiest man to be led by his affections that ever hived; Elizabeth can do anything with him, and she misst do ser part, and you must help to make her; that was the general form of the contact, and then he suggested that to unity ourselves, to take away all friction, and to give to this new enterprise the advantage of periect unity of feeling and counsel, it would be a good thing it show to Mr. Titton, expression of my cordinity toward him, and also a letter to min (Monitor) for min to show to Mr. Titton, expression of my cordinity toward him, and also a letter to Mrs. Titton, with whom I had more influence, he said, than any awing being, in order to bring her under Mr. Moulton's counsel, which would be concurrent with my counsel and judgments and so the amily would be brought in and Mrs. Titton would make a bappy home for him; I would nelp him, Frank would belp and riendly would help him, and with ris power and experience and skill he would have a journal that would be heard of all through the land; I thought it wasn', an unawise plac; I wrote the letters to him and to her, and put them in Mr. Moulton's hands, Q. Now you neves spoken herectore. Mr. Beccher, of Mr. Moulton's saying that the proper timing to be done, to be aimed at, was that Mr. Bowen should put Mr. Titton back on the independent. Previous to this conversation which you now speak of, had you heard in any way from Mr. Howen that he had made that suggestion to Mr. Bowen, and that Mr. Bowen had not rejected it, but said he didn't see how now it could be mow the could put him back.

Q. Yes, and this had preceded your conversation about the new paper? A. That was a conversation symmetry, just before the Tin.

Mr. Evarts (aside)—Now these letters, what are the numbers?

Mr. Porter—What are the numbers?

Mr. Porter—What are the numbers?

Mr. Porter—What are the numbers.

Mr. Morris—What are the numbers?
Mr. Porter—Nine, ten, and eleven,
Mr. Porter—Nine, ten, and eleven,
Mr. Porter—Nine, ten, and eleven,
Mr. Evarts—(showing papers to witness)—
Please say it those are the two letters when you one to Mr. Thion aiso.
Q. Now here is a third letter from Mr. Titon to Mr. Monaton of the same date. Please look at that and far whether you saw that at or ab of the time or its date or ween or the first? A. I can't say certainly—though I think—whether I saw it immediately after that; there was no concurrent linterview following the writing o mose letters.

mediately after that; there was no concurrent interview following the writing of nose letters. Q. No interview in which the third was, you mean? A. No, Sir. Q. And your letters, your two letters, were written independently of seeing this? A. Yes, Sir, without seeing that at all. Q. Tuis letter, Mr. Beconer to Mrs. Tilton, begins in this way—"My dear Mrs. Tilton, when I saw you last.

in tals way—ay ter and last,

I DIDN'T EXPECT EVER TO SEE YOU AGAIN,
or to be alive many days. God was kinder to me
than were my own thoughts;" when was the
last time, prior to this 7th day of Februars, you
had seen Mrs. Pitton? A. I suppose I haun't seen
her since the interview of December 30.
Q. Yes, well that is your rec. Rection? A. That
is div reconection of the purport of this opening

genteace.

Q. And of the fact that you hadn't seen her:

A. Yes, sir.

Q. And of the fact that you hadn't seen her:

A. Yes, sir.

Q. And you used this expression, "When I saw
you last I dion't expect ever to see you again, of
to be anye many days;" what was there in your
situation that led you to have an impression of
that shortness of your hie? A. That was the short,
ness of both our lives, sir; she looked to me like
one aiready bespoken for by God's angels; in 'an
terrible trial to which I was subjected, the flery
excitement, it didn't seem to me I could live
long.

excitement, it didn't seem to me I could live long.

Q. And in that view it was of her life and your own feelings that you wrote that expression? A. Yes, sir.

Q. In concluding this letter, Mr. Beecher, you say, 'This is sent with Theodore's consent, but he had not read it;' was that a lact, as you understood it, that Mr. Thiron had not read the letter? A. Yes, sir; lunderstood it so, but that close was the suggestion of Mr. Moulton.

Q. Weil, I was going on to the next sentence—will you return it to me by his hand? I am very earnes: in this wish for all our sakes, for your letter outs not to be subject to even the chance of miscarriage." Was that clause the subject of conversation between you and Mr. Moulton in the preparation of the letter, or in devising the letter? A. It was.

Q. And was inserted in —? A. It was a suggestion of his, which I carried out; I can give you the reasons stated.

Q. Stated by Mr. Moulton? A. Yes, sir.

Q. Weil, what did he say in that connection? A. I can't g ve you what he sangested.

Q. Weil A. That Elizabeth would likely not re-

Q. Well, what did he say in that connection? A.

I can't g ve you what he said; I can give you what
he suggested.

Q. Well? A. That Elizabeth would likely not receive the document from Mr. Filton's hand; the
idea was if she thought Mr. Filton and I had got
up this letter together it would not have any ibfluence with her, and we had better suggest to
her that he had not seen it, that it was my letter
and was my judgment.

Q. And that was the fact? A. That was the
fact; at least so har as I know.

Q. And the was the fact? A. That was the
letter to Mr. Moulton for disposal, to be sent by
Mr. Filton, apparently.

Mr. Beach—To be returned by Mr. Tilton.
Mr. Evarts—"This is sent with Theodore's consent'? A. Yes.

Q. How do you know or how were you advised
as to that? A. Mr. Moulton—that is, Mr. Tilton
consented that I should write his letter to his
wife; that is the general design, but he didn't see
the letter.

Q. And it was through Mr. Moulton that you received that information? A. Yes, sir.